



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
---------------	-------------	----------------------	---------------------

08/193,634 02/08/94 TROUNSON

J 018420001

EXAMINER

BROWN, I

23M1/0421

ART UNIT

PAPER NUMBER

JAMES A. LABARRE
BURNS, DOANE, SWECKER & MATHIS
P. O. BOX 1404
ALEXANDRIA, VA 22313-1404

20

2306

DATE MAILED:

04/21/94

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☒ Responsive to communication filed on 2-8-94 ☒ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), — days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice of Draftsman's Patent Drawing Review, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-4, 7-10, and 18-19 are pending in the application.

Of the above, claims _____ are withdrawn from consideration.

2. ☐ Claims _____ have been cancelled.

3. ☒ Claims 4 and 7-10 are allowed.

4. ☒ Claims 1-3 and 18-19 are rejected.

5. ☐ Claims _____ are objected to.

6. ☐ Claims _____ are subject to restriction or election requirement.

7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8. ☐ Formal drawings are required in response to this Office action.

9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).

10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).

11. ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).

12. ☐ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. _____; filed on _____.

13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14. ☐ Other

EXAMINER'S ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1-3 and 18-19 are rejected under 35 U.S.C. § 102(b) as being anticipated by Hyatt.

As per claims 1-3 and 18-19, Hyatt discloses in figure 1 and column 6 the limitations set forth in these claims.

3. Claims 1-3 and 18-19 are rejected under 35 U.S.C. § 103 as being unpatentable over Daggett in view of Hyatt.

As per claims 1-3 and 18-19, Daggett discloses a digital position and velocity feedback system for a multi-axis machine which only differs from these claims by not using a single active processor to control the multi-axis machine. Hyatt discloses a computer system architecture wherein a microcomputer, single active processor, is used for direct interaction with a machine to enhance communication and to reduce special purpose interface circuitry.

It would have been obvious to one of ordinary skill in the control art to replace the multi-computational source as disclosed by Daggett with the single active processor as disclosed by Hyatt for the purpose of having direct interaction with a machine which enhances communication and reduces special purpose interface circuitry.

4. Applicant's arguments filed 8-9-93 have been fully considered but they are not deemed to be persuasive.

Applicant argues that Hyatt discloses more than one active

system. However, the real issue is whether Hyatt discloses more than one active processor. Applicant points to the data processor 12 of figure 1 and the circuitry of figure 3 of Hyatt, and contends that Hyatt discloses more than one active processor. However, there is no active processor in figure 3, thus, the only active processor in Hyatt's system is data processor 12.

With respect to claims 18 and 19, a typographical error was made. Claims 18 and 19 should of been rejected with claims 1-3 in view of Hyatt and Daggett in view of Hyatt. In page 4 of applicant response, applicant recognizes the error and addresses the rejection as if it was constructively made.

5. This is a continuation of applicant's earlier application S.N. 07/655,857. All claims are drawn to the same invention claimed in the earlier application and could have been finally rejected on the grounds or art of record in the next Office action if they had been entered in the earlier application. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action in this case. See M.P.E.P. § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL

Serial No. 08/193634
Art Unit 2306

-4-

ACTION.

6. Claims 4 and 7-10 are allowable over the prior art of record.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Brown whose telephone number is (703) 305-9749.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Tom Brown *TB*
April 17, 1994

Jerry Smith
JERRY SMITH
SUPERVISORY PATENT EXAMINER
ART UNIT 236